

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE C.V.RAMULU

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WRIT PETITION NO : 17445 of 2004

Between:

N.Sathaiah S/o.N.Bagaiah
R/o.H.No.LIG 71, A.PH.B Near Govt. Degree College
T.R.Colpny, Medak Medak District.

..... PETITIONER

AND

1. The Depot Manager APSRTC Narayankhed Depot,
Narayankhed, Medak District.
2. The Divisional Manager, APSRTC Medak Division,
Sanga Reddy, Medak District.
3. Chief Inspector (Enquiries) Regional Manager's Office
APSRTC, Medak Region, Sanga Reddy, Medak District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ or order or direction more particularly one in the nature of writ of mandamus declaring the action of the first respondent in passing removal order Vide proceedings No.02/95(28)/01-NKD, Dt.29.5.2004 which is confirmed by the 2nd respondent in proceedings No.PA/28(43)/2004DVM SRD dated 16.8.2004, as illegal, arbitrary and violative of Article 14 and 16 of the Constitution of India apart from violative of principles of natural justice and

consequently direct the respondents to reinstate the petitioner into service with all consequential benefits including back wages, senior promotion etc.

Counsel for the Petitioner: MR.J.M.NAIDU

Counsel for the Respondent No.: MR.V.T.M.PRASAD,

SC FOR APSRTC

The Court made the following :

ORDER

The writ petition is filed by the petitioner, who is working as conductor, questioning the order of removal from service, passed by the 1st respondent, which was confirmed by the 2nd respondent.

Since an effective alternative remedy is available to the petitioner against the orders of the respondents by way of filing claim petition before the Labour Court, the present writ petition is not maintainable.

Accordingly, the writ petition is dismissed. However, the petitioner is given liberty to approach the Labour Court and work out his remedies as available in law.

JUSTICE C.V.RAMULU

2nd DECEMBER, 2004

PGS

To

1. The Depot Manager APSRTC Narayankhed Depot,
Narayankhed, Medak District.
2. The Divisional Manager, APSRTC Medak Division,
Sanga Reddy, Medak District.
3. Chief Inspector (Enquiries) Regional Manager's Office
APSRTC, Medak Region, Sanga Reddy, Medak District.

THE HONOURABLE SRI JUSTICE

C.V.RAMULU

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2nd DECEMBER, 2004